

## REMARKS

Claims 1-20 and 23-26 were pending in the present Application. Claims 23-26 have been cancelled. No new matter has been introduced by way of amendment or addition.

Reconsideration and allowance of the claims are respectfully requested in view of the above cancellations and the following remarks.

### Claim Rejections Under 35 U.S.C. § 112

A. Claims 1-3, 5, 7-13, 16-20, and 23-26 are rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. The Office Action alleges the term “incompatible” governing the organic flame retardant salts is new matter, because the specification, as originally filed, fails to provide express support for the new terminology. Applicants respectfully traverse the rejection.

Independent process Claims 1, 16, and 19 have in common the features of, *inter alia*, a process for producing a fire resistant polycarbonate sheet, comprising compounding an aqueous solution consisting of an organic flame retardant salt with a finished polycarbonate to form a fire resistant polycarbonate, wherein the organic flame retardant salt is *incompatible* with the polycarbonate composition and shear is applied during the compounding.

Applicants respectfully direct Examiner’s attention to the 37 C.F.R. 1.132 declaration filed concurrently herewith. The declaration was given by Theo Hoeks, an inventor on the current application. As evidenced in the declaration, Mr. Hoeks has extensive experience in the research and development of thermoplastic compositions, and particularly, polycarbonate compositions. Mr. Hoeks has declared that it would have been obvious to one of ordinary skill in the art that the organic flame retardant salts, such as those listed in Claim 2 and having the chemical formula of Claim 7, are incompatible with polycarbonate. As referenced on Page 2, paragraph 5 of the declaration, one of skill in the art would recognize and appreciate that the organic flame retardant salts used in the pending application, are incompatible with the polycarbonate, because, *inter alia*, it is well known in the art that the salts do not dissolve in polycarbonate, and therefore, the salts

advantageously do not affect the glass transmission temperature of the polycarbonate polymer.

Moreover, as referenced on page 3, paragraph 7 of the declaration, one of ordinary skill in the art would recognize the use of an incompatible organic flame retardant salt in the polycarbonate composition by observing the optical properties of Applicants' polycarbonate sheet. The negligible difference in optical properties between the polycarbonate sheet having no flame retardant compounds and Applicants' sheet comprising a 20% solution of the incompatible organic salt KSS, would suggest the use of an incompatible organic flame retardant salt to a person of skill in the art.

The declaration properly supports Applicants' contention that a person skilled in the art at the time the application was filed would have recognized that the inventor was in possession of the application as filed. The declaration is responsive to the rejection and presents sufficient facts to overcome the rejection.

For at least these reasons, Applicants respectfully request reconsideration and withdrawal of the rejections to Claims 1-3, 5, 7-13, and 16-20.

Claim Rejections Under 35 U.S.C. § 103(a)

A. Claims 23-26 stand rejected under 35 U.S.C. § 103(a), as allegedly unpatentable over U.S. Patent No. 4,289,685 to Druschke *et al.* (hereinafter "Druschke"). Applicants respectfully traverse the rejection.

Claims 23-26 have been cancelled, thereby rendering the rejections moot. Applicants, therefore, respectfully request withdrawal of the rejections to Claims 23-26.

B. Claim 26 is rejected under 35 U.S.C. 103(a) as being unpatentable over [U.S. Patent No. 4,113,695 to Mark (hereinafter "Mark"). Applicants respectfully traverse this rejection.

Claim 26 has been cancelled, thereby rendering the rejection moot. Applicants, therefore, respectfully request withdrawal of the rejection to Claims 26.

C. Claim 26 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 4,600,742 to Higgins (hereinafter "Higgins"). Applicants respectfully traverse this rejection.

Claim 26 has been cancelled, thereby rendering the rejection moot. Applicants, therefore, respectfully request withdrawal of the rejection to Claims 26.

It is believed that the foregoing amendments and remarks fully comply with the Office Action and that the claims herein should now be allowable to Applicants. Accordingly, reconsideration and allowance are requested.

If there are any additional charges with respect to this Amendment or otherwise, please charge them to Deposit Account No. 06-1130.

Respectfully submitted,

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